

SEC. 607. FORGIVENESS OR OFFSET OF OVERPAYMENT OF RETIRED PAY PAID TO A JOINT ACCOUNT FOR A PERIOD AFTER THE DEATH OF THE RETIRED MEMBER OF THE ARMED FORCES.

(a) WHEN PAYMENT DEPOSITED TO JOINT ACCOUNT.—Section 2771 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) In the case of overpayment of retired or retainer pay, arising from payment of such retired or retainer pay for any period after the date of the death of a recipient through the last day of the month in which such death occurs, if such payment is electronically deposited in an accredited financial institution to a joint account bearing the name of the decedent and another individual who is the decedent’s designated beneficiary under subsection (a)(1), the Secretary of Defense—

“(1) if the decedent is an individual to whom section 1448 of this title applies, shall elect to—

“(A) forgive the overpayment on behalf of the United States; or

“(B) offset the overpayment pursuant to section 1450(n) of this title; or

“(2) if the decedent is not an individual to whom section 1448 of this title applies, shall forgive the overpayment on behalf of the United States.”.

(b) COORDINATION WITH SURVIVOR BENEFIT PLAN.—Section 1450 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting “, or that applies under subsection (n)” after “under subsection (j)”; and

(2) by adding at the end the following new subsection:

“(n) SPECIAL RULE IN CASE OF CERTAIN FINAL RETIRED PAY OVERPAYMENT.—In a case described in section 2771(e) of this title, if the individual described in that subsection other than the decedent is the beneficiary of the decedent under the Plan, each of the first 12 payments, following the death of the decedent, of the annuity payable to the decedent’s beneficiary under the Plan, shall be reduced by one-twelfth of such overpayment.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to payments made to persons who die on or after the date of the enactment of this Act.

SA 3883. Mr. DURBIN (for himself, Mr. LEAHY, Ms. BALDWIN, Mr. BOOKER, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. DISBURSEMENT OF FOREIGN MILITARY FINANCING FUNDS FOR EGYPT TO FOREIGN MILITARY SALES TRUST FUND.

Notwithstanding any other provision of law, funds appropriated pursuant to the Foreign Military Financing Program for assistance for Egypt for fiscal years 2021 and 2022 shall be disbursed to the Foreign Military Sales Trust Fund.

SA 3884. Mr. DURBIN submitted an amendment intended to be proposed to

amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. REPORT ON ALLEGATIONS OF WAR CRIMES AND TORTURE COMMITTED BY UNITED STATES CITIZENS IN LIBYA.

(a) IN GENERAL.—Not later than 180 days after receiving a credible allegation of the commission of a covered offense, including from a nongovernmental organization that monitors violations of human rights, the Attorney General, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on such allegation, including a determination as to whether the Attorney General will review or consider reviewing such allegation for potential criminal investigation, and a description of any challenges to prosecution.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEE OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED OFFENSE.—The term “covered offense” means an offense under section 2340A, 2441, or 2442 of title 18, United States Code, committed in Libya by or at the order of a United States citizen.

SA 3885. Mr. DURBIN (for himself, Mr. LEAHY, Ms. BALDWIN, Mr. BOOKER, and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. REPORT ON INCIDENTS OF ARBITRARY DETENTION, VIOLENCE, AND STATE-SANCTIONED HARASSMENT BY THE GOVERNMENT OF EGYPT.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report on incidents of violence against, and arbitrary detention and state-sanctioned harassment of, United States citizens, individuals in the United States, and family members of such citizens and individuals carried out by the security agencies of the Government of Egypt in Egypt or the United States.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A detailed description of any such incident during the three-year period imme-

diately preceding the date on which the report is submitted.

(2) A determination of whether such incidents constitute a pattern of acts of intimidation or harassment.

(3) A description of any action taken by the Secretary of State to meaningfully deter such incidents.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex with respect to the elements described in paragraphs (2) and (3) of subsection (b) if such classified annex is provided separately.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

SA 3886. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4301 for Operation and Maintenance, Defense-wide relating to Administrative and Service-Wide Activities, in the item relating to Defense Security Cooperation Agency, insert after the item relating to AFRICOM UFR—AFRICOM the following:

BALTIC SECURITY INITIATIVE	[175,000]
----------------------------------	-----------

SA 3887. Mr. DURBIN (for himself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—

(1) IN GENERAL.—Section 1715 of title 38, United States Code, is amended to read as follows:

“§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

“(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘facility of the Veterans Health Administration’ means any land or

building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

“(A) under the jurisdiction of the Department of Veterans Affairs;

“(B) under the control of the Veterans Health Administration; and

“(C) not under the control of the General Services Administration.

“(2) The term ‘smoke’ includes—

“(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

“(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigars.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”.

(b) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102-585; 38 U.S.C. 1715 note) is repealed.

SA 3888. Mr. DURBIN (for himself, Mr. LEAHY, and Mr. OSSOFF) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1238. TERMINATION OF AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.

(a) FUTURE AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted into law after the date of enactment of this Act shall terminate on the date that is 10 years after the date of enactment of such authorization or declaration.

(b) EXISTING AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted before the date of the enactment of this Act shall terminate on the date that is 6 months after the date of such enactment.

SA 3889. Mr. DURBIN (for himself, Mr. GRASSLEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1236 and insert the following:

SEC. 1236. SENSE OF SENATE ON PROVISION OF SECURITY ASSISTANCE TO BALTIC COUNTRIES.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Baltic countries are particularly vulnerable to continued aggression from the Russian Federation, including through increased air provocations, military build ups in the Baltic region, disinformation campaigns, cyberattacks, and other forms of intimidation.

(2) Since fiscal year 2018, the United States has allocated over \$498,965,000 in Department of Defense partner capacity funding for the Baltic countries, including over \$219,000,000 for the Baltic Security Initiative pursuant to sections 332 and 333 of title 10, United States Code, for security assistance to Baltic countries with respect to—

- (A) air defense;
- (B) maritime situational awareness;
- (C) ammunition;
- (D) command, control, communications, computers, intelligence, surveillance, and reconnaissance;
- (E) anti-tank capability;
- (F) special forces; and
- (G) other defense capabilities.

(3) The Secretary of Defense has completed the comprehensive Baltic defense assessment required by section 1246 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1661) and has recommended continued robust, comprehensive investment in Baltic security efforts based on that assessment.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the security of the Baltic region is crucial to the security of the North Atlantic Treaty Organization alliance and the continued provision of security assistance to the Baltic countries is critical to ensuring deterrence against Russian aggression and bolstering the security of North Atlantic Treaty Organization allies; and

(2) the Senate strongly supports robust assistance to accomplish United States strategic objectives, including by providing assistance to the Baltic countries through the Baltic Security Initiative.

SA 3890. Mr. RUBIO (for himself, Mr. WARNER, Mr. BENNET, Mr. BLUNT, Mr. BURR, Mr. CASEY, Ms. COLLINS, Mr. COTTON, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Mr. KING, Mr. RISCH, Mr. SASSE, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . EXPANSION OF TREATMENT OF MOVING EXPENSES.

(a) PURPOSE.—The purpose of this section is to facilitate the movement of members of the intelligence community to meet mission critical needs and to reduce unintended tax burdens imposed on public servants in relocating duty stations.

(b) DEDUCTION.—Section 217(k) of the Internal Revenue Code of 1986 is amended by inserting “or an employee or new appointee of

the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) (other than a member of the Armed Forces of the United States) who moves pursuant to a change in assignment that requires relocation” after “to whom subsection (g) applies”.

(c) EXCLUSION FOR QUALIFIED MOVING EXPENSE REIMBURSEMENTS.—Section 132(g)(2) of the Internal Revenue Code of 1986 is amended by inserting “or an employee or new appointee of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) (other than a member of the Armed Forces of the United States) who moves pursuant to a change in assignment that requires relocation” after “change of station”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SA 3891. Mr. CASEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LOCALITY PAY EQUITY.

(a) LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A GENERAL SCHEDULE PAY LOCALITY.—

(1) LOCAL WAGE AREA LIMITATION.—Section 5343(a) of title 5, United States Code, is amended—

(A) in paragraph (1)(B)(i), by striking “(but such)” and all that follows through “are employed”;

(B) in paragraph (4), by striking “and” after the semicolon;

(C) in paragraph (5), by striking the period after “Islands” and inserting “; and”; and

(D) by adding at the end the following:

“(6) The Office of Personnel Management shall define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as ‘Rest of United States’.”.

(2) GENERAL SCHEDULE PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (2)(C), by striking “and” after the semicolon;

(B) in paragraph (3), by striking the period after “employee” and inserting “; and”; and

(C) by adding at the end the following:

“(4) ‘pay locality’ has the meaning given that term under section 5302.”.

(b) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out the purpose of this section, including regulations to ensure that the enactment of this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)(2) of title 5, United States Code).

(c) APPLICABILITY.—The amendments made by this section shall apply on and after the first day of the first full pay period beginning at least 180 days after the date of enactment of this Act.

SA 3892. Mrs. GILLIBRAND submitted an amendment intended to be